Weaving Shed Labour Association to the Management demanding the immediate reinstatement with compensation of two weavers Munikrishna and Kanniah Naidu, who were discharged from service on 24th October 1949 and 7th October 1949 respectively.

Negotiations having failed the dispute was referred to me by the Labour Commissioner under Section 10 (3) of the Labour Act for initiating conciliation proceedings.

Notices were issued to the parties to appear before me today. Sri R. Balasubramaniam, one of the partners and Sri Gopalaswamy the Manager, are present on behalf of the Management. No one of the representatives of the Association has turned up. There is no reason to think that the Association has had no notice. The Assistant Commissioner of Labour, Bangalore, are intervened in the dispute at an earlier stage has made an exhaustive report to the Labour Commissioner. According to the Management, Munikrishna is an inefficient weaver. Because he happens to be the President of the Association he puts on airs and behaves as though he is entitled to extra rights and privileges. He continuously absented himself for three days and on the 4th day when he returned to duty he did not deign to offer any explanations for his absence. When he was told that he was liable to be dismissed under Standing Orders, he retorted that the Management might do their worst and abruptly left the premises. When the Assistant Commissioner of Labour sent for him in connection with the negotiation he did not care to appear. At one stage the Management were willing to take him back provided he expressed regret and promised good behaviour for the future. He would not agree to this offer.

Regarding Kanniah Naidu, the view of the Management is that he is a most inefficient weaver who has caused much loss to the concern by his bad work. He is incapable of any improvement.

For the foregoing reasons Sri R. Balasubramaniam says that it is impossible for the Management to take back these two weavers. In the circumstances it is clear that no useful purpose would be served by giving one more chance to the Association to appear before closing these proceedings.

Accordingly I report failure of Conciliation under Section 12(4) of the Labour Act.

Yours faithfully,
K. SUBBA RAO,
Chief Conciliator.

7346

Dated 29th March 1950.

No. L.S. 3691—L.W. 71-49-45. In pursuance of Sub-Section (4) of Section 12 of the Mysore Labour Act, 1942 (Act XIII of 1942), His Highness the Maharaja of Mysore is pleased to direct the publication of the accompanying Report of the Chief Conciliator in Mysore, Bangalore, in respect of failure of Conciliation Proceedings in the dispute between Sri Krishnarajendra Mills, Ltd., Mysore and the Labour Association of the Mills in regard to two Notices of Change dated 2nd February 1950 and 3rd February 1950 given by the Management to the Labour Association and two Notices of Change dated 19th January 1950 and 7th February 1950 given by the Labour Association to the Management thereof, putting forth certain demands.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Secretary to Government,
Law Department.

7347

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE, BANGALORE.

Dated 17th March 1950.

No. C.C. 54, 55, 56 and 59-49.

To

The Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

Four cases, *viz.*, C.C. 54, 55, 56 and 59—49-50 came up for Conciliation on Monday the 6th instant, the parties to the disputes being Sri Krishnarajendra Mills, Ltd., Mysore, on the one hand and the Labour Association of the Mills on the other.

The above disputes arose out of four Notices of Change—two given by the Association and two by the Management. The demands contained in these notices are reproduced as annexure to this report.

On the date fixed for Conciliation the Association was represented by all the office-bearers including its President Sri K. Puttaswamy and Vice-President Sri L. Ramiah, while the Management was represented by Sri B. V. Visweswaraiah, the Secretary and Sri S. V. Srinivasiah, the Office Manager.

The demands of the Association are that the wages of piece workers should be increased by 15 to 25 per cent and that the wages of daily workers should be enhanced by Re. 0-2-0 per head with effect from 1st January 1949. All probationers who have worked for three months should be confirmed and that all temporary workers who have put in a service of six months and more should also be confirmed. The Management should devote greater attention to the welfare of the workers and give them more facilities. The dearness allowance based on the cost of living index should be calculated at the rate of Re. 0-3-6 per point instead of Re. 0-2-3 per point with effect from 1st March 1950. There must also be an increase of 15 per cent in the rates given to piece-workers who weave long cloth on looms of 42" and 60," the revised rates being operative from the date these looms started working.

The first notice given by the Management contemplates the discontinuance of the payment of attendance bonus with effect from 1st March 1950. This involves a modification of the agreement dated 6th July 1949. The Management wish to scrap this agreement by giving this Notice of Change, on the ground that it has failed in its main purpose. Instead of improving attendance it has led to greater absenteeism on some pretext or other. The Association's contention is that the period January to March always shows a larger percentage of absentieesm than the other periods since in this season many labourers have to go to religious fairs and marriage parties. The attitude of the Management is that whatever the cause the agreement should be treated as null and void since it has failed to achieve the objective which they had in view. By the second Notice of Change the Management propose to limit the working of the Mills to only one shift or in the alternative to work both shifts for only three days in a week with effect from 1st March 1950. The reasons are: the cotton stocks in the Mills' godown is low and is being rapidly depleted. Native cotton cannot be had except at black-market prices. The supply of imported cotton is very limited. The Mills have been permitted to import a small quantity of American Cotton, but it will take several months for the consignment to arrive. The representatives of the Association state that in the circumstances explained by the Management they would agree to the closing of the Mills when stock of cotton is exhausted provided the closure takes place simultaneously in all sections of the Mills. The Secretary of the Mills however says that the stock of cotton of the several varieties varies in quality, that the consumption of these varieties in the different sections also varies and that therefore it is impossible to bring about a synchronization in the closure of work in all the sections. The Management are prepared to close section after section as and when the stock of raw material gets exhausted. To this proposal the representatives of the Association do not agree.

Regarding the demands of the Association, the Secretary of the Mills states that the Management are prepared to confirm all probationers who have attained the requisite standard of proficiency. On this assurance this particular demand was withdrawn by the Association. I pointed out that the demand for greater amenities for the workers was vague. The representatives of the Association withdrew this demand also. Regarding the other demands, the Management are not prepared to take any steps pending appointment of wage-board to fix minimum scales of wages for employees in the Textile Industry. This board is also expected to go into the question of rationalization of the Textile Industry by reducing the strength of the employees but without impairing output. In the circumstances the permanent vacancies are kept unfilled with tacit consent of the Association. The demands for increase in wages and dearness allowance involve considerable sums of money, which the Management are not prepared to consider when the Industry is passing through a severe crisis. The Central Government have recently reduced the margin of profit admissible to manufacturers. Besides, cotton is in short supply as already stated. The profits of the Mills have considerably dwindled especially since January last. The reply of the Association is that the Mills are in a position to satisfy the demands of labour to a material extent and that what is standing in the way is want of goodwill on the part of the Management.

I found it impossible to bring about any settlement between the parties in respect of the various demands. I therefore

make this report under Section 12 (4) reporting failure of Conciliation Proceedings.

Yours faithfully,
K. SUBBA RAO,
Chief Conciliator.

Dated 29th March 1950.

No. L.S. 3694—L. W. 71-49-47. In pursuance of sub-section (4) of Section 12 of the Mysore Labour Act (Act XIII of 1942), His Highness the Maharaja of Mysore is pleased to direct, the publication of the following report of the Chief Conciliator in Mysore, Bangalore, in respect of failure of Conciliation Proceedings in the dispute between the Shimoga District Automobile Workers' Association, Shimoga, and the Central Karnataka Motor Co., Shimoga, in respect of a Notice of Change dated 9th October 1949 given by the Association putting forth certain demands.

By Order of His Highness the Maharaja,
B. S. PUTTASWAMY,
Secretary to Government,
Law Department.

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE, BANGALORE.

No. C. C. 26—49, dated 17th March 1950.

To
The Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

This dispute relates to the reinstatement of Driver Narasappa who was dismissed by the Central Karnataka Motor Company, Shimoga, on 22nd August 1949. The Shimoga District Automobile Workers' Association gave a Notice of Change to the Management on 9th October 1949, urging his immediate reinstatement. The Assistant Commissioner of Labour, Bhadravati Division, could do nothing in the matter and accordingly the dispute was referred to me for instituting Conciliation Proceedings.

To-day Sri M. G. Dasacharya, Secretary, appeared for the Management while Sri M. K. Pillay, Secretary, represented the Association. The circumstances under which this Driver was dismissed were explained by Sri Dasacharya. On 10th August 1949 while returning from Harihar to Davangere, this Driver stopped the bus full of passengers with the engine running in front of a mosque on a slope and went out to see some 'Thamash'. During his absence the vehicle moved from its own momentum and capsized causing slight injuries to the passengers and damage to the bus. He had been fined twice before and warned several times in writing, for disobedience, unruly behaviour, incivility to passengers, etc. The Management could not get on with him. Hence he was dismissed.

In his report to the Management, the Driver admits that when he stopped the bus and went to the side of the road to ease himself, it moved and fell into a depression. He attributes the accident to the defective hand-brake and says that none of the passengers was hurt and that only the windscreen was damaged. His subsequent statement that he had brought the non-functioning of the hand-brake to the notice of the Management long prior to the accident is altogether denied by Sri Dasacharya. Sri Pillay contended that the punishment given was grossly disproportionate to the alleged offence and that in any event, a notice of change under Section 10 (1) should have preceded the punishment. Sri Dasacharya on the other hand maintained that Section 10 (1) was not applicable, that this driver was incorrigible and that it was impossible for the Management to take him back to service. The result was a failure of the Conciliation Proceedings which I report under Section 12 (4) of the Mysore Labour Act.

Yours faithfully,
K. SUBBA RAO,
Chief Conciliator.

Dated 31st March 1950.

No. L.S. 3737—L.W. 71-49-49. In pursuance of sub-secti (4) of Section 12 of the Mysore Labour Act, (Act XIII 1942), His Highness the Maharaja of Mysore is pleased direct the publication of the following report of the Ch Conciliator in Mysore, Bangalore, in respect of the failure Conciliation Proceedings in the dispute between the Shimo District Automobile Workers Association, Shimoga, and t Proprietors of M. R. Service and R. M. Motor Servi Shimoga, in respect of two notices of change dated 17 November 1949, given by the Association putting forth cert demands.

By Order of His Highness the Mahara-
B. S. PUTTASWAMY,
Secretary to Government,
Law Department.

OFFICE OF THE CHIEF CONCILIATOR IN MYSOR BANGALORE.

Dated 16th March 1950.

To
The Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

No. C.C. 40 & 41—49. The Shimoga District Automob Workers Association gave two notices of change—one to t Propriator, M. R. Service, Shimoga, and the other to t Proprietor, R. M. Motor Service, Shimoga. Both the notices are dated 17th November 1949 and contain identi demands which are reproduced below:—

1. ಡ್ರೈವರುಗಳಿಗೆ 60 ರೂ. ಬೆ ಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರ 60-5-100 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಿಸಬೇಕು. ಕಂಡಕ್ ರುಗಳಿಗೆ 30 ರ ಬೇಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರನ್ನು 30 2-15 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೆ ಸಬೇಕು. ಕ್ಲೀನರುಗಳಿಗೆ 15 ರೂ. ಬೇಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರ 15-1-25 ರೂ, ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಿಸಬೇಕು. ಮೆಕ್ಯಾನಿಕ್ಕುಗಳಿಗೆ 100 ರ ಬೇಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರನ್ನು 10-10-150 ರೂ. ಗ್ರೇಡಿನ ಮ ನೇಮಿಸಬೇಕು.
2. ದಿನ ಭತ್ಯವನ್ನು ವಾಪಸ್ ಬರುವ ಗಾಡಿಯ ಡ್ರೈವರ್ ಕಂಡಕ್ಟರ್‌ಗ 1-8-0 ರೂ. ಕೊಡಬೇಕು. ಹಾಲ್ಟಿಂಗ್ ಗಾಡಿಯ ಡ್ರೈವರ್ ಕಂಡಕ್ಟರುಗ 2 ರೂ. ಯಂತೆ ಕೊಡಬೇಕು.
3. ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಕೊಡುವಂತೆ ಎಲ್ಲರಿಗೂ ತುಟ್ಟಿಭತ್ಯ ಕೊಡಬೇಕು.
4. ಗ್ಯಾಸ್ ಗಾಡಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಡ್ರೈವರ್ ಕಂಡಕ್ಟರುಗಳಿಗೆ ಅ ಸಂಬಳದ ಜೊತೆಯಲ್ಲಿ 10 ರೂ. ಯಂತೆ ಫೀಟ್ ಅಲೋಯನ್ಸ್ ಕೊಡಬೇಕು.
5. ಪ್ರಾವಿಡೆಂಟ್ ಫಂಡ್ ಸ್ಕೀಂ ಜಾರಿಗೆ ತರಬೇಕು.
6. ವರ್ಷಕ್ಕೆ ಒಂದು ತಿಂಗಳು ಸಂಬಳದ ರಜೆ ಕೊಡಬೇಕು.

The Assistant Commissioner of Labour, Bhadrav Division, made two attempts to negotiate between t parties. But the Proprietors withheld their co-operation absenting themselves on both the dates fixed by him. T result was that both the disputes were referred to this off for initiating Conciliation Proceedings. On 14th Decemb 1949 my predecessor in office who was then officiating Chief Conciliator issued instructions to the Assista Commissioner of Labour through the Commissioner of Labo that one more attempt be made to bring the parties togeth with a view to bring about a settlement. A report has n been received from him and it reads as under:—

"I write to state that the Proprietors of B. R. K., R. M. M. R., and Janatha Motor Services did not appe before me for negotiations on 6th January 1950 this office at 12-30 P.M. in spite of my repeat requests, and as such no agreement could be broug about between the parties.

In this connection I write to state that the Proprietc of the abovesaid Transport Services are deliberate negligent in entering into any healthy agreemen for improving the conditions of labour though t Labourers involved in this industry are grumbling get their grievances set right early.

Such being the case, in view of the disturbed conditio of industrial relations existing in their industri and the proprietors for not making themselv amicable to any healthy settlement of the Industr disputes in the interest of all the parties concerne I request you kindly to make suitable recommend tions to the Government in the Transport Depar ment to cancel their licenses immediately.

However, I request you kindly to refer the said Notic of change to the Chief Conciliator in Mysore, initiate conciliation proceedings."